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From: Eileen E. Falvey for
Laura A. Coruzzi

Pages: 6 (including cover sheet)

Date: June 1, 2006

Application of: Brines et al.

Confirmation No.: 4714

Application No.: 09/547,220

Art Unit: 1647

Filed: April 11, 2000

Examiner: Regina M. DeBerry

For: MODULATION OF EXCITABLE
TISSUE FUNCTION BY
PERIPHERALLY ADMINISTERED
ERYTHROPOETIN

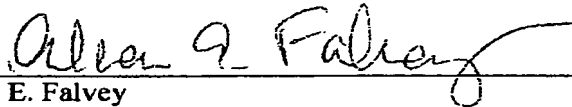
Attorney Docket No.: 10165-006-999

Message:

Transmitted herewith for filing in connection with the above-identified application is
a SUBSTITUTE AMENDMENT UNDER 37 C.F.R. § 1.116.

CERTIFICATION OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. 1.8(a)

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46,097
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NYJD-1624868v1

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VIA TELEFACSIMILE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Brines et al. Confirmation No.: 4714
Serial No.: 09/547,220 Art Unit: 1647
Filed: April 11, 2000 Examiner: DeBerry, Regina M.
For: Modulation of Excitable Tissue Attorney Docket No.: 10165-006-999
Function by Peripherally
Administered Erythropoietin

SUBSTITUTE AMENDMENT UNDER 37 C.F.R. § 1.116

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Sir:

In response to the Office Action dated February 22, 2006, Applicants respectfully request that the following Substitute Amendment under 37 C.F.R. § 1.116 and remarks herein be considered and entered in to the record of the above-captioned application.

It is believed that there is no fee required for filing this response. However, in the event that a fee is required, please charge Jones Day Deposit Account No. 50-3013.

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 5 of this paper.

CERTIFICATION OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. 1.8(a)

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Eileen E. Falvey

46,097
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